

Chapter One

STATE CONSTITUTIONS

The framework for state governments — includes information on the constitutions, amendment procedures, and constitutional commissions.

For additional information on Chapter One contact William Voit, at The Council of State Governments, (606) 244-8230 or E-mail: bvoit@csg.org.



Table 1.1
GENERAL INFORMATION ON STATE CONSTITUTIONS
(As of January 1, 1998)

State or other jurisdiction	Number of constitutions*	Dates of adoption	Effective date of present constitution	Estimated length (number of words)	Number of amendments	
					Submitted to voters	Adopted
Alabama	6	1819, 1861, 1865, 1868, 1875, 1901	Nov. 28, 1901	220,000 (a)	860	618 (a)
Alaska	1	1956	Jan. 3, 1959	15,988 (b)	35	26
Arizona	1	1911	Feb. 14, 1912	28,876	221	121
Arkansas	5	1836, 1861, 1864, 1868, 1874	Oct. 30, 1874	40,720	176	84 (c)
California	2	1849, 1879	July 4, 1879	54,645	826	493
Colorado	1	1876	Aug. 1, 1876	45,679	276	133
Connecticut	4	1818 (e), 1965	Dec. 30, 1965	9,564	30	29
Delaware	4	1776, 1792, 1831, 1897	June 10, 1897	19,000	(d)	130
Florida	6	1839, 1861, 1865, 1868, 1886, 1968	Jan. 7, 1969	38,000	103	74
Georgia	10	1777, 1789, 1798, 1861, 1865, 1868, 1877, 1945, 1976, 1982	July 1, 1983	25,000	63 (f)	48 (f)
Hawaii	1 (h)	1950	Aug. 21, 1959	20,774 (b)	113	95 (g)
Idaho	1	1889	July 3, 1890	23,239 (b)	195	115
Illinois	4	1818, 1848, 1870, 1970	July 1, 1971	13,700	16	10
Indiana	2	1816, 1851	Nov. 1, 1851	10,230 (b)	72	40
Iowa	2	1846, 1857	Sept. 3, 1857	13,430 (b)	53	50 (i)
Kansas	1	1859	Jan. 29, 1861	11,900	119	91 (i)
Kentucky	4	1792, 1799, 1850, 1891	Sept. 28, 1891	27,199 (b)	68	35
Louisiana	11	1812, 1845, 1852, 1861, 1864, 1868, 1879, 1898, 1913, 1921, 1974	Jan. 1, 1975	54,112 (b)	117	79
Maine	1	1819	March 15, 1820	13,500	196	166 (j)
Maryland	4	1776, 1851, 1864, 1867	Oct. 5, 1867	41,349	247	212 (k)
Massachusetts	1	1780	Oct. 25, 1780	36,700 (l)	145	117
Michigan	4	1835, 1850, 1908, 1963	Jan. 1, 1964	25,530 (b)	56	22
Minnesota	1	1857	May 11, 1858	11,323 (b)	210	115
Mississippi	4	1817, 1832, 1869, 1890	Nov. 1, 1890	24,012 (b)	152	119
Missouri	4	1820, 1865, 1875, 1945	March 30, 1945	42,000	147	90
Montana	2	1889, 1972	July 1, 1973	13,218 (b)	41	21
Nebraska	2	1866, 1875	Oct. 12, 1875	20,048	301	199
Nevada	1	1864	Oct. 31, 1864	20,770	199	123 (i)
New Hampshire	2	1776, 1784	June 2, 1784	9,200	280 (m)	143 (m)
New Jersey	3	1776, 1844, 1947	Jan. 1, 1948	17,800	61	48
New Mexico	1	1911	Jan. 6, 1912	27,200	259	134
New York	4	1777, 1822, 1846, 1894	Jan. 1, 1895	51,700	286	216
North Carolina	3	1776, 1868, 1970	July 1, 1971	11,000	38	30
North Dakota	1	1889	Nov. 2, 1889	20,564	249 (n)	137 (n)
Ohio	2	1802, 1851	Sept. 1, 1851	36,900	261	158
Oklahoma	1	1907	Nov. 16, 1907	79,153 (b)	307 (o)	157 (o)
Oregon	1	1857	Feb. 14, 1859	26,090	417	210
Pennsylvania	5	1776, 1790, 1838, 1873, 1968 (n)	1968 (n)	21,675	30 (p)	24 (p)
Rhode Island	2	1842 (e)	May 2, 1843	10,233 (b)	105	59
South Carolina	7	1776, 1778, 1790, 1861, 1865, 1868, 18	Jan. 1, 1896	22,500	659 (q)	474 (q)
South Dakota	1	1889	Nov. 2, 1889	25,000	198	103
Tennessee	3	1796, 1835, 1870	Feb. 23, 1870	15,300	55	32
Texas	5 (s)	1845, 1861, 1866, 1869, 1876	Feb. 15, 1876	80,806 (b)	547 (r)	377
Utah	1	1895	Jan. 4, 1896	11,000	140	90
Vermont	3	1777, 1786, 1793	July 9, 1793	8356 (b)	210	52
Virginia	6	1776, 1830, 1851, 1869, 1902, 1970	July 1, 1971	18,500	37	31
Washington	1	1889	Nov. 11, 1889	29,400	161	91
West Virginia	2	1863, 1872	April 9, 1872	26,000	114	67
Wisconsin	1	1848	May 29, 1848	15,702 (b)	178	130 (i)
Wyoming	1	1889	July 10, 1890	31,800	103	65
American Samoa	2	1960, 1967	July 1, 1967	6,000	14	7
No. Mariana Islands	1	1977	Jan. 9, 1978	11,000	55	50 (t,u)
Puerto Rico	1	1952	July 25, 1952	9,281	6	6

See footnotes at end of table.

CONSTITUTIONS

GENERAL INFORMATION ON STATE CONSTITUTIONS — Continued

*The constitutions referred to in this table include those Civil War documents customarily listed by the individual states.

(a) The Alabama constitution includes numerous local amendments that apply to only one county. An estimated 70 percent of all amendments are local. A 1982 amendment provides that after proposal by the legislature to which special procedures apply, only a local vote (with exceptions) is necessary to add them to the constitution.

(b) Computer word count.

(c) Eight of the approved amendments have been superseded and are not printed in the current edition of the constitution. The total adopted does not include five amendments proposed and adopted since statehood.

(d) Proposed amendments are not submitted to the voters in Delaware.

(e) Colonial charters with some alterations served as the first constitutions in Connecticut (1638, 1662) and in Rhode Island (1663).

(f) The Georgia constitution requires amendments to be of "general and uniform application throughout the state," thus eliminating local amendments that accounted for most of the amendments before 1982.

(g) Seven amendments approved by the voters in 1994 but not counted because of litigation delayed certification have been certified and are included in the Hawaii totals.

(h) As a kingdom and republic, Hawaii had five constitutions.

(i) The figure includes amendments approved by the voters and later nullified by the state supreme court in Iowa (three), Kansas (one), Nevada (six) and Wisconsin (two).

(j) The figure does not include one amendment approved by the voters in 1967 that is inoperative until implemented by legislation.

(k) Two sets of identical amendments were on the ballot and adopted in the

1992 Maryland election. The four amendments are counted as two in the table.

(l) The printed constitution includes many provisions that have been annulled. The length of effective provisions is an estimated 24, 122 words (12,400 annulled in Massachusetts, and in Rhode Island before the "rewrite" of the constitution in 1986, it was 11,399 words (7,627 annulled).

(m) The constitution of 1784 was extensively revised in 1792. Figure show proposals and adoptions since the constitution was adopted in 1784.

(n) The figures do not include submission and approval of the constitution of 1889 itself and of Article XX; these are constitutional questions included in some counts of constitutional amendments and would add two to the figure in each column.

(o) The figures include five amendments submitted to and approved by the voters which were, by decisions of the Oklahoma or U.S. Supreme Courts, rendered inoperative or ruled invalid, unconstitutional, or illegally submitted.

(p) Certain sections of the constitution were revised by the limited convention of 1967-68. Amendments proposed and adopted are since 1968.

(q) In 1981 approximately two-thirds of the 626 proposed and four-fifths of the adopted amendments were local. Since then the 24 proposed and 12 adopted amendments have been statewide propositions.

(r) The number of proposed amendments to the Texas Constitution excludes three proposed by the legislature but not placed on the ballot.

(s) The Constitution of the Republic of Texas preceded five state constitutions.

(t) 47 amendments were adopted in 1985. One amendment was proposed but rejected in 1994. Three amendments were proposed and adopted in 1996.

(u) The total excludes one amendment ruled void by a federal district court.

Table 1.2
CONSTITUTIONAL AMENDMENT PROCEDURE: BY THE LEGISLATURE
Constitutional Provisions

<i>State or other jurisdiction</i>	<i>Legislative vote required for proposal (a)</i>	<i>Consideration by two sessions required</i>	<i>Vote required for ratification</i>	<i>Limitation on the number of amendments submitted at one election</i>
Alabama	3/5	No	Majority vote on amendment	None
Alaska	2/3	No	Majority vote on amendment	None
Arizona	Majority	No	Majority vote on amendment	None
Arkansas	Majority	No	Majority vote on amendment	3
California	2/3	No	Majority vote on amendment	None
Colorado	2/3	No	Majority vote on amendment	None (b)
Connecticut	(c)	(c)	Majority vote on amendment	None
Delaware	2/3	Yes	Not required	No referendum
Florida	3/5	No	Majority vote on amendment (d)	None
Georgia	2/3	No	Majority vote on amendment	None
Hawaii	(e)	(e)	Majority vote on amendment (f)	None
Idaho	2/3	No	Majority vote on amendment	None
Illinois	3/5	No	(g)	3 articles
Indiana	Majority	Yes	Majority vote on amendment	None
Iowa	Majority	Yes	Majority vote on amendment	None
Kansas	2/3	No	Majority vote on amendment	5
Kentucky	3/5	No	Majority vote on amendment	4
Louisiana	2/3	No	Majority vote on amendment (h)	None
Maine	2/3 (i)	No	Majority vote on amendment	None
Maryland	3/5	No	Majority vote on amendment	None
Massachusetts	Majority (j)	Yes	Majority vote on amendment	None
Michigan	2/3	No	Majority vote on amendment	None
Minnesota	Majority	No	Majority vote in election	None
Mississippi	2/3 (k)	No	Majority vote on amendment	None
Missouri	Majority	No	Majority vote on amendment	None
Montana	2/3 (i)	No	Majority vote on amendment	None
Nebraska	3/5	No	Majority vote on amendment (f)	None
Nevada	Majority	Yes	Majority vote on amendment	None
New Hampshire	3/5	No	2/3 vote on amendment	None
New Jersey	(l)	(l)	Majority vote on amendment	None (m)
New Mexico	Majority (n)	No	Majority vote on amendment (n)	None
New York	Majority	Yes	Majority vote on amendment	None
North Carolina	3/5	No	Majority vote on amendment	None
North Dakota	Majority	No	Majority vote on amendment	None
Ohio	3/5	No	Majority vote on amendment	None
Oklahoma	Majority	No	Majority vote on amendment	None
Oregon	(o)	No	Majority vote on amendment	None
Pennsylvania	Majority (p)	Yes (p)	Majority vote on amendment	None
Rhode Island	Majority	No	Majority vote on amendment	None
South Carolina	2/3 (q)	Yes (q)	Majority vote on amendment	None
South Dakota	Majority	No	Majority vote on amendment	None
Tennessee	(r)	Yes (r)	Majority vote in election (s)	None
Texas	2/3	No	Majority vote on amendment	None
Utah	2/3	No	Majority vote on amendment	None
Vermont	(t)	Yes	Majority vote on amendment	None
Virginia	Majority	Yes	Majority vote on amendment	None
Washington	2/3	No	Majority vote on amendment	None
West Virginia	2/3	No	Majority vote on amendment	None
Wisconsin	Majority	Yes	Majority vote on amendment	None
Wyoming	2/3	No	Majority vote in election	None
American Samoa	2/3	No	Majority vote on amendment (u)	None
No. Mariana Islands	3/4	No	Majority vote on amendment	None
Puerto Rico	2/3 (v)	No	Majority vote on amendment	3

See footnotes at end of table.

CONSTITUTIONS

CONSTITUTIONAL AMENDMENT PROCEDURE: BY THE LEGISLATURE — Continued

-
- (a) In all states not otherwise noted, the figure shown in the column refers to the proportion of elected members in each house required for approval of proposed constitutional amendments.
- (b) Legislature may not propose amendments to more than six articles of the constitution in the same legislative session.
- (c) Three-fourths vote in each house at one session, or majority vote in each house in two sessions between which an election has intervened.
- (d) Majority vote on amendment except amendment for "new state tax or fee" not in effect on Nov. 7, 1994 requires two-thirds of voters in the election.
- (e) Two-thirds vote in each house at one session, or majority vote in each house in two sessions.
- (f) Majority vote on amendment must be at least 50 percent of the total votes cast at the election (at least 35 percent in Nebraska); or, at a special election, a majority of the votes tallied which must be at least 30 percent of the total number of registered voters.
- (g) Majority voting in election or three-fifths voting on amendment.
- (h) If five or fewer political subdivisions of the state are affected, majority in state as a whole and also in affected subdivision(s) is required.
- (i) Two-thirds of both houses.
- (j) Majority of members elected sitting in joint session.
- (k) The two-thirds must include not less than a majority elected to each house.
- (l) Three-fifths of all members of each house at one session, or majority of all members of each house for two successive sessions.
- (m) If a proposed amendment is not approved at the election when submitted, neither the same amendment nor one which would make substantially the same change for the constitution may be again submitted to the people before the third general election thereafter.
- (n) Amendments concerning certain elective franchise and education matters require three-fourths vote of members elected and approval by three-fourths of electors voting in state and two-thirds of those voting in each county.
- (o) Majority vote to amend constitution, two-thirds to revise ("revise" includes all or a part of the constitution).
- (p) Emergency amendments may be passed by two-thirds vote of each house, followed by ratification by majority vote of electors in election held at least one month after legislative approval.
- (q) Two-thirds of members of each house, first passage; majority of members of each house after popular ratification.
- (r) Majority of members elected to both houses, first passage; two-thirds of members elected to both houses, second passage.
- (s) Majority of all citizens voting for governor.
- (t) Two-thirds vote senate, majority vote house, first passage; majority both houses, second passage. As of 1974, amendments may be submitted only every four years.
- (u) Within 30 days after voter approval, governor must submit amendment(s) to U.S. Secretary of the Interior for approval.
- (v) If approved by two-thirds of members of each house, amendment(s) submitted to voters at special referendum; if approved by not less than three-fourths of total members of each house, referendum may be held at next general election.

Table 1.3
CONSTITUTIONAL AMENDMENT PROCEDURE: BY INITIATIVE
Constitutional Provisions

<i>State or other jurisdiction</i>	<i>Number of signatures required on initiative petition</i>	<i>Distribution of signatures</i>	<i>Referendum vote</i>
Arizona	15% of total votes cast for all candidates for governor at last election.	None specified.	Majority vote on amendment.
Arkansas	10% of voters for governor at last election.	Must include 5% of voters for governor in each of 15 counties.	Majority vote on amendment.
California	8% of total voters for all candidates for governor at last election.	None specified.	Majority vote on amendment.
Colorado	5% of total legal votes for all candidates for secretary of state at last general election.	None specified.	Majority vote on amendment.
Florida	8% of total votes cast in the state in the last election for presidential electors.	8% of total votes cast in each of 1/2 of the congressional districts.	Majority vote on amendment except amendment for “new state tax or fee” not in effect Nov. 7, 1994 requires 2/3 of voters voting in election.
Illinois (a)	8% of total votes cast for candidates for governor at last election.	None specified.	Majority voting in election or 3/5 voting on amendment.
Massachusetts (b)	3% of total votes cast for governor at preceding biennial state election (not less than 25,000 qualified voters).	No more than 1/4 from any one county.	Majority vote on amendment which must be 30% of total ballots cast at election.
Michigan	10% of total voters for all candidates at last gubernatorial election.	None specified.	Majority vote on amendment.
Mississippi	12% of total votes for all candidates for governor in last election.	No more than 20% from any one congressional district.	Majority vote on amendment and not less than 40% of total vote cast at election.
Missouri	8% of legal voters for all candidates for governor at last election.	The 8% must be in each of 2/3 of the congressional districts in the state.	Majority vote on amendment.
Montana	10% of qualified electors, the number of qualified electors to be determined by number of votes cast for governor in preceding general election.	The 10% to include at least 10% of qualified electors in each of 2/5 of the legislative districts.	Majority vote on amendment.
Nebraska	10% of total votes for governor at last election.	The 10% must include 5% in each of 2/5 of the counties.	Majority vote on amendment which must be at least 35% of total vote at the election.
Nevada	10% of voters who voted in entire state in last general election.	10% of total voters who voted in each of 75% of the counties.	Majority vote on amendment in two consecutive general elections.
North Dakota	4% of population of the state.	None specified.	Majority vote on amendment.
Ohio	10% of total number of electors who voted for governor in last election.	At least 5% of qualified electors in each of 1/2 of counties in the state.	Majority vote on amendment.
Oklahoma	15% of legal voters for state office receiving highest number of voters at last general state election.	None specified.	Majority vote on amendment.
Oregon	8% of total votes for all candidates for governor at last election at which governor was elected for four-year term.	None specified.	Majority vote on amendment.
South Dakota	10% of total votes for governor in last election.	None specified.	Majority vote on amendment.
No. Mariana Islands	50% of qualified voters of commonwealth.	In addition, 25% of qualified voters in each senatorial district.	Majority vote on amendment if legislature approved it by majority vote; if not, at least 2/3 vote in each of two senatorial districts in addition to a majority vote.

(a) Only Article IV, the Legislature, may be amended by initiative petition. (b) Before being submitted to the electorate for ratification, initiative measures must be approved at two sessions of a successively elected legislature by not less than one-fourth of all members elected, sitting in joint session.

CONSTITUTIONS

Table 1.4
PROCEDURES FOR CALLING CONSTITUTIONAL CONVENTIONS
Constitutional Provisions

<i>State or other jurisdiction</i>	<i>Provision for convention</i>	<i>Legislative vote for submission of convention question (a)</i>	<i>Popular vote to authorize convention</i>	<i>Periodic submission of convention question required (b)</i>	<i>Popular vote required for ratification of convention proposals</i>
Alabama	Yes	Majority	ME	No	Not specified
Alaska	Yes	No provision (c,d)	(c)	10 years (c)	Not specified (c)
Arizona	Yes	Majority	(e)	No	MP
Arkansas	No	No			
California	Yes	2/3	MP	No	MP
Colorado	Yes	2/3	MP	No	ME
Connecticut	Yes	2/3	MP	20 years (f)	MP
Delaware	Yes	2/3	MP	No	No provision
Florida	Yes	(g)	MP	No	Not specified
Georgia	Yes	(d)	No	No	MP
Hawaii	Yes	Not specified	MP	9 years	MP (h)
Idaho	Yes	2/3	MP	No	Not specified
Illinois	Yes	3/5	(i)	20 years; 1988	MP
Indiana	No	No			
Iowa	Yes	Majority	MP	10 years; 1970	MP
Kansas	Yes	2/3	MP	No	MP
Kentucky	Yes	Majority (j)	MP (k)	No	No provision
Louisiana	Yes	(d)	No	No	MP
Maine	Yes	(d)	No	No	No provision
Maryland	Yes	Majority	ME	20 years; 1970	MP
Massachusetts	No		No	Not specified	
Michigan	Yes	Majority	MP	16 years; 1978	MP
Minnesota	Yes	2/3	ME	No	3/5 voting on proposal
Mississippi	No	No			
Missouri	Yes	Majority	MP	20 years; 1962	Not specified (l)
Montana	Yes (m)	2/3 (n)	MP	20 years	MP
Nebraska	Yes	3/5	MP (o)	No	MP
Nevada	Yes	2/3	ME	No	No provision
New Hampshire	Yes	Majority	MP	10 years	2/3 voting on proposal
New Jersey	No	No			
New Mexico	Yes	2/3	MP	No	Not specified
New York	Yes	Majority	MP	20 years; 1957	MP
North Carolina	Yes	2/3	MP	No	MP
North Dakota	No	No			
Ohio	Yes	2/3	MP	20 years; 1932	MP
Oklahoma	Yes	Majority	(e)	20 years	MP
Oregon	Yes	Majority	(e)	No	No provision
Pennsylvania	No	No			
Rhode Island	Yes	Majority	MP	10 years	MP
South Carolina	Yes	(d)	ME	No	No provision
South Dakota	Yes	(d)	(d)	No	(p)
Tennessee	Yes (q)	Majority	MP	No	MP
Texas	No	No			
Utah	Yes	2/3	ME	No	MP
Vermont	No	No			
Virginia	Yes	(d)	No	No	MP
Washington	Yes	2/3	ME	No	Not specified
West Virginia	Yes	Majority	MP	No	Not specified
Wisconsin	Yes	Majority	MP	No	No provision
Wyoming	Yes	2/3	ME	No	Not specified
American Samoa	Yes	(r)	No	No	ME (s)
No. Mariana Islands	Yes	Majority (t)	2/3	No (u)	MP and at least 2/3 in each of 2 senatorial districts
Puerto Rico	Yes	2/3	MP	No	MP

PROCEDURES FOR CALLING CONSTITUTIONAL CONVENTIONS — Continued

Key:

MP — Majority voting on the proposal.

ME — Majority voting in the election.

(a) In all states not otherwise noted, the entries in this column refer to the proportion of members elected to each house required to submit to the electorate the question of calling a constitutional convention.

(b) The number listed is the interval between required submissions on the question of calling a constitutional convention; where given, the date is that of the first required submission of the convention question.

(c) Unless provided otherwise by law, convention calls are to conform as nearly as possible to the act calling the 1955 convention, which provided for a legislative vote of a majority of members elected to each house and ratification by a majority vote on the proposals. The legislature may call a constitutional convention at any time.

(d) In these states, the legislature may call a convention without submitting the question to the people. The legislative vote required is two-thirds of the members elected to each house in Georgia, Louisiana, South Carolina and Virginia; two-thirds concurrent vote of both branches in Maine; three-fourths of all members of each house in South Dakota; and not specified in Alaska, but bills require majority vote of membership of each house. In South Dakota, the question of calling a convention may be initiated by the people in the same manner as an amendment to the constitution (see Table 1.3) and requires a majority vote on the question for approval.

(e) The law calling a convention must be approved by the people.

(f) The legislature shall submit the question 20 years after the last convention, or 20 years after the last vote on the question of calling a convention, whichever date is last.

(g) The power to call a convention is reserved to the people by petition.

(h) The majority must be 50 percent of the total votes cast at a general election or at a special election, a majority of the votes tallied which must be at least 30 percent of the total number of registered voters.

(i) Majority voting in the election, or three-fifths voting on the question.

(j) Must be approved during two legislative sessions.

(k) Majority must equal one-fourth of qualified voters at last general election.

(l) Majority of those voting on the proposal is assumed.

(m) The question of calling a constitutional convention may be submitted either by the legislature or by initiative petition to the secretary of state in the same manner as provided for initiated amendments (see Table 1.3).

(n) Two-thirds of all members of the legislature.

(o) Majority must be 35 percent of total votes cast at the election.

(p) Convention proposals are submitted to the electorate at a special election in a manner to be determined by the convention. Ratification by a majority of votes cast.

(q) Conventions may not be held more often than once in six years.

(r) Five years after effective date of constitutions, governor shall call a constitutional convention to consider changes proposed by a constitutional committee appointed by the governor. Delegates to the convention are to be elected by their county councils. A convention was held in 1972.

(s) If proposed amendments are approved by the voters, they must be submitted to the U.S. Secretary of the Interior for approval.

(t) The initiative may also be used to place a referendum convention call on the ballot. The petition must be signed by 25 percent of the qualified voters or at least 75 percent in a senatorial district.

(u) The legislature was required to submit the referendum no later than seven years after the effective date of the constitution. The convention was held in 1985; 45 amendments were submitted to the voters.

Table 1.5
STATE CONSTITUTIONAL COMMISSIONS
(Operative during January 1, 1996 to January 1, 1998) (a)

<i>State</i>	<i>Name of commission</i>	<i>Method and date of creation and period of operation</i>	<i>Membership: number and type</i>	<i>Funding</i>	<i>Purpose of commission</i>	<i>Proposals and action</i>
California	California Constitution Revision Commission	Statutory: Ch. 1243, <u>Laws of California</u> , 1993. April 1994-July 1, 1996. Act expires Jan. 1997.	23: 3 ex officio, 20 appointed. 10 appointed by governor who also named chair; 5 by speaker of the House; 5 by the Senate Rules Committee; bipartisan appointment required. Ex officio - Chief Justice, Legislative Analyst, Director of Finance. No lobbyist eligible. No more than one legislator appointed by each of appointing authorities. Membership to reflect state diversity (ethnic, racial, cultural, geographic, gender).	Total legislative appropriation: \$1,148,000 (1993-94 \$200,000; 1994-95 \$474,000; 1995-96 \$474,000).	To study and make recommendations on budget process (including intergovernmental fiscal relations), state governmental structure, state and local governmental duties, responsibilities and relationships, and community resources and delivery systems.	Commission organized May, 1994 and expired June 30, 1996. It held 30 public meetings including 4 formal public hearings, 5 workshops and, in cooperation with League of Women Voters, 39 community forums and video conferences. Home page on Internet. Published monthly newsletter ("CCRC News"), Preliminary Report in 1995 and Final Report in 1996. Final recommendations to governor and legislature for constitutional change were on 5 general topics - government accountability, budget, education, state-local relations, and local government - with proposed drafts for amendments. No voter action on recommendations in 1996-1997.
Florida	Florida Constitution Revision Commission	Constitution: Florida Constitution Art. XI, secs. 2 (a) and 2 (c), as amended in 1988 and 1996. Established every 20 years within 30 days after legislature adjournment and must present constitutional proposals 180 days before general election. 1997-98 commission: June 1997 - May 1998.	37: attorney general ex officio. 36 appointed: by governor (15), by speaker of House (9), by president of Senate (9), by chief justice of Supreme Court with advice of justices (3). 3 alternates. Governor designates chair.	\$1.8 million appropriation	To review constitution and propose necessary revision directly to voters.	Commission meetings June 16 - December, 1997 with more scheduled in 1998. 12 public hearings July - September in 12 cities. Hundreds of citizen proposals received. Home page on Internet. Published monthly newsletter, commission journals (including minutes) and brochure. Final constitutional proposals to secretary of state by May 5, 1998.
Nebraska	Nebraska Constitution Revision Commission	Statutory: LB 53, approved Feb. 28, 1995. Members to meet 15 days after appointment and serve until final report submitted within two years. First meeting Oct. 3, 1995 - final report June 6, 1997.	12: appointed: by governor (3), by Supreme Court (3), by Legislature (6, including 3 current legislators). Requirement for representation of each congressional district. Chair selected by commission.	\$29,000 appropriation (\$21,000 unspent)	To make a complete study of constitution and determine needed changes, if any, with emphasis on simplification and condensation for purpose of giving legislature broad powers.	15 public meetings. Final report proposed 32 recommendations for constitutional change with 28 proposed amendments ready for referral to voters. 1997 Legislature placed 8 of them on ballot for action in 1998 elections. Subjects include revision of initiative process, elimination of lieutenant governor as presiding officer of legislature and adding equal protection of laws clause.

STATE CONSTITUTIONAL COMMISSIONS — Continued

<i>State</i>	<i>Name of commission</i>	<i>Method and date of creation and period of operation</i>	<i>Membership: number and type</i>	<i>Funding</i>	<i>Purpose of commission</i>	<i>Proposals and action</i>
New Mexico (b)	Constitutional Revision Commission	Statutory: <u>Laws of 1993</u> , Ch. 271, approved April 7, 1993. <u>N.M.S.A.</u> , Secs. 12-14-1 - 12-15-7. Commission authorized in 1993, appointed in 1994, expired in December, 1995.	21: 15 voting members appointed by governor, 5 from each congressional district, no more than 8 from same party; 6 nonvoting advisory members - 2 representatives appointed by speaker of House, 2 senators appointed by president pro tem of Senate, and 2 ex officio - chief justices of Supreme Court or designee and attorney general or designee.	\$250,000 appropriation to governor's office.	To examine New Mexico and other state constitutions to recommend desirable and necessary constitutional changes.	Monthly meetings April 4, 1994 - December 11, 1995. Final report to governor and legislature December 15, 1995. Recommendations focused on state governmental structure. Highest priority given to amendments article. In 1996 voters approved the commission's amendments proposal as modified by the legislature and a commission proposal on legislative compensation..
Utah	Utah Constitutional Revision Commission	Statutory: Ch. 89, <u>Laws of Utah</u> , 1969; amended by Ch. 107, <u>Laws</u> 1977, which made the commission permanent as of July 1 1977. (Codified as Ch. 54, Title 63, <u>Utah Code Annotated</u> , 1953.)	16: 1 ex officio, 9 appointed - by the speaker of the House (3), president of the Senate (3), and governor (3) - no more than 2 of each group to be from same party; and 6 additional members appointed by the 9 previously appointed members.	Appropriations through 1995 totaled \$1,023,000. In recent years, annual appropriations have been \$55,000.	Study constitution and recommend desirable changes including proposed drafts.	Mandated to report recommendations at least 60 days before legislature convenes. Voter action on commission recommendations referred by legislature through 1993 include: approval of revised articles on legislature, elections and rights of suffrage, revenue and taxation, executive, judicial, education, and corporations. In 1994 voters adopted rights of crime victims amendment and in 1996 amendments on revenue and taxation, jury size, veterans property exemptions and state guarantee of school bonds. In 1996 of 7 study topics two were submitted to legislature as proposed amendments and in 1996 amendments (married women property rights and legislative eligibility). In 1997 comprehensive revision of local government constitutional provisions recommended to legislature.

Notes:

- (a) There were no constitutional conventions in 1996-1997.
- (b) New Mexico Constitutional Revision Commission (1993-95) was omitted from Table 1.5 in volume 31 of *The Book of the States*.

Table 1.6
STATE CONSTITUTIONAL CHANGES BY METHOD OF INITIATION: 1990-91, 1992-93, 1994-95 and 1996-97

Method of installation	Number of states involved				Total proposals				Total adopted				Percentage adopted			
	1990-91	1992-93	1994-95	1996-97	1990-91	1992-93	1994-95	1996-97	1990-91	1992-93	1994-95	1996-97	1990-91	1992-93	1994-95	1996-97
All methods	41	43	43	267	226	239	233	233	145	160	161‡	178	63.3*	66.1*	69.7*‡	76.3*
Legislative proposal	41	42	41	246	197	201	202	193	134	137	151‡	159	67.0*	67.1*	75.7*‡	82.4*
Constitutional initiative	10	13	13	21	29	34	31	40	11	21	10	19	37.9	61.7	32.2	47.5
Constitutional convention .....	...	1	...	...	...	1	...	...	...	0.0	...	...	...	0.0	...	...
Constitutional commission .....	...	1	...	...	...	3	...	...	...	2	...	...	...	66.6	...	...

Key:

* — In calculating these percentages, the amendments adopted in Delaware (where proposals are not submitted to the voters) are excluded.

‡ — Excludes 1994 Hawaii propositions from percentage adopted.

... — Not applicable

Table 1.7
SUBSTANTIVE CHANGES IN STATE CONSTITUTIONS: PROPOSED AND ADOPTED 1990-91, 1992-93, 1994-95 and 1996-97

Subject matter	Total proposed				Total adopted				Percentage adopted			
	1990-91	1992-93	1994-95	1996-97	1990-91	1992-93	1994-95	1996-97	1990-91	1992-93	1994-95	1996-97
Proposals of statewide applicability	195.0*	211.0*	199.0*	194.0*	121.0†	139.0†	134.0†	146.0†	61.5*	64.9*	67.3*	75.2*
Bill of Rights	13.0	18.0	26.0	22.0	8.0	15.0	19.0	17.0	61.5	83.3	73.0	77.2
Suffrage & elections	3.0	8.0†	9.0	13.0	2.0	8.0	6.0	12.0	66.6	100.0	66.6	92.3
Legislative branch	45.0	42.0	30.0	27.0	28.0	31.0	23.0	12.0	62.2	73.8	76.6	44.4
Executive branch	9.0	15.0	16.0	15.0	8.0	13.0	12.0	10.0	88.8	86.6	75.0	66.6
Judicial branch	13.0	12.0†	22.0	15.0*	7.0	9.0	15‡.0	17.0	53.8	75.0	72.2‡	93.3*
Local government	7.0	10.0	9.0	7.0	3.0	6.0	7.0	5.0	42.8	60.0	77.7	71.4
Finance & taxation	58.0	54.0	49.0	41.0	36.0	29.0	29.0‡	31.0	62.0	53.7	61.7‡	75.6
State & local debt	4.0	4.0	5.0	9.0	3.0	2.0	2.0	8.0	75.0	50.0	40.0	88.8
State functions	29.0	25.0	17.0	21.0	18.0	9.0	9.0‡	17.0	62.0	36.0	46.6‡	80.9
Amendment & revision	0.0	2.0	6.0	4.0	0.0	1.0	4.0	3.0	0.0	50.0	66.6	75.0
General revision proposals	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous proposals	15.0	23.0	10.0	20.0	9.0	16.0	8.0	14.0	60.0	69.5	80.0	70.0
Local amendments	31.0	28.0	34.0	39.0	24.0	21.0	27.0	32.0	74.1*	75.7	79.4	82.0

Key:

* — Excludes Delaware where proposals are not submitted to voters.

† — Includes Delaware.

‡ — Excludes Hawaii propositions approved by voters in 1994 but not finally certified pending litigation outcome.

Table 1.8

STATE CONSTITUTIONAL CHANGES BY CONSTITUTIONAL INITIATIVE (1996-97)

<i>State</i>	<i>Number of proposals</i>	<i>Number of adoptions</i>	<i>Percentage adopted</i>
Arizona	1.0	1.0	100.00
Arkansas	2.0	1.0	50.00
California	2.0	2.0	100.00
Colorado	7.0	3.0	42.85
Florida	4.0	3.0	75.00
Illinois	0.0	0.0	0.00
Massachusetts	0.0	0.0	0.00
Michigan	0.0	0.0	0.00
Mississippi	0.0	0.0	0.00
Missouri	2.0	2.0	100.00
Montana	0.0	0.0	0.00
Nebraska	4.0	1.0	25.00
Nevada	3.0*	3.0*	100.00*
North Dakota	4.0	1.0	25.00
Ohio	1.0	0.0	0.00
Oklahoma	1.0	0.0	0.00
Oregon	9.0	2.0	22.22
South Dakota	0.0	0.0	0.00
Total	40.0	19.0	47.50

*Nevada voters approved for the second time three initiatives and for the first time one initiative. To become effective, constitutional initiatives require voter approval in two elections. The new initiative was not counted in the table.